

**IN THE SUPERIOR COURT OF FULTON COUNTY
STATE OF GEORGIA**

DONNA CURLING, ET. AL)	
)	
)	CIVIL ACTION FILE NO.
)	1:17-CV-02989-AT
Plaintiff,)	
)	
v.)	
)	
BRAD RAFFENSPERGER, <i>et al.</i> ,)	
)	
)	
Defendants.)	
_____)	

**FULTON COUNTY DEFENDANTS’ MOTION FOR EXTENSION OF
TIME TO RESPOND TO CURLING PLAINTIFFS’ RENEWAL OF
MOTION FOR ATTORNEY’S FEES AND EXPENSES**

COME NOW FULTON COUNTY DEFENDANTS, and respectfully move the Court to grant them the same extension that has been granted to State Defendants to respond to Curling Plaintiffs’ Renewal of Motion for Attorneys’ Fees and Expenses (“Renewal Motion”).

On August 15, 2019, this Court issued an Order granting in part Curling Plaintiffs’ Motion for Preliminary Injunction. [Doc. 579]. On August 29, 2019, Curling Plaintiffs filed a Motion for Attorney’s Fees and Expenses (“Motion for Fees”) as prevailing parties based on that order. [Doc. No. [596-1]. The Court subsequently denied without prejudice Plaintiffs’ Motion for Fees on May 26, 2020.

[Doc. 733]. Curling Plaintiffs filed their Renewal Motion on November 2, 2020. [Doc. 998].

On November 9, 2020 the Court issued an Order granting the State Defendants' Motion for Extension of Time to Respond to Curling Plaintiffs' Renewal Motion. [Doc. 1005].

Fulton County Defendants are in the midst of running the December 1, 2020 runoff election. Early in-person voting began on November 9, 2020 and Fulton County Defendants are preparing for the recount which will be ordered for the November 3, 2020 General and Special election. While election administration always demands significant time and attention from election officials, this is even more so this year due to unprecedented voter turnout in conjunction with the COVID-19 pandemic.¹ Fulton County Defendants request this extension to help alleviate these significant time constraints. The delay should not prejudice Curling Plaintiffs or burden the Court as this case has been ongoing for well over three years and the Court has already granted the same extension to respond to the Curling Plaintiffs' Renewed Motion for Attorneys' Fees.

¹ This has been compounded by the outbreak of COVID-19 in the Fulton County Elections warehouse, in which over twenty (20) elections staff have contracted the virus.

For the aforementioned reasons, Fulton County Defendants respectfully request the court to grant it the same extension until December 2, 2020 to respond to Curling Plaintiffs' Renewal of Motion for Attorneys' Fees and Expenses.

This 10th day of November, 2020.

Respectfully Submitted,

OFFICE OF THE COUNTY ATTORNEY
Patrise Perkins Hooker
Georgia Bar No.

/s/ David R. Lowman
David R. Lowman
Georgia Bar No. 460298
Cheryl Ringer
Georgia Bar No. 557420

OFFICE OF THE COUNTY ATTORNEY
141 Pryor Street, S.W., Suite 4038
Atlanta, Georgia 30303
(404) 612-0246
(404) 730-6324 (fax)

L.R. 7.1(D) CERTIFICATION

I certify that this Motion has been prepared with one of the font and point selections approved by the Court in Local Rule 5.1(C). Specifically, this Motion has been prepared using 14-pt Times New Roman font.

/s/ David R. Lowman
David R. Lowman